

House Bill 3226

Sponsored by Representative RESCHKE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that taxpayer is not required to make estimated corporate activity tax payment for quarter that taxpayer has zero taxable commercial activity.

Applies to tax years beginning on or after January 1, 2024.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to corporate activity tax liability; creating new provisions; amending ORS 317A.137; and
3 prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 317A.137, as amended by section 6, chapter 82, Oregon Laws 2022, is amended
6 to read:

7 317A.137. (1) For purposes of the corporate activity tax imposed under ORS 317A.116, every
8 person doing business in this state with commercial activity for the tax year in excess of \$1 million
9 shall file an annual return not later than the 15th day of the fourth month following the end of the
10 tax year. The return must be filed with the Department of Revenue in a form prescribed by the de-
11 partment.

12 (2)(a) The corporate activity tax imposed under ORS 317A.116 is due and, **except as provided**
13 **in paragraph (b) of this subsection**, estimated tax payments for the previous quarter are payable
14 to the department on or before the last day of the 4th, 7th and 10th months of the tax year and of
15 the first month immediately following the end of the tax year.

16 **(b) If a taxpayer has zero taxable commercial activity for a quarter, the taxpayer is not**
17 **required to make an estimated payment under this section for that quarter.**

18 (3) The department may by rule extend the time for making any return for good cause. If the
19 time for filing a return is extended at the request of a taxpayer, interest on any unpaid tax at the
20 rate established under ORS 305.220 from the time the return was originally required to be filed to
21 the time of payment, shall be added and paid.

22 **SECTION 2.** The amendments to ORS 317A.137 by section 1 of this 2023 Act apply to tax
23 years beginning on or after January 1, 2024.

24 **SECTION 3.** This 2023 Act takes effect on the 91st day after the date on which the 2023
25 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.